IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11296 of 2000

with

SPECIAL CIVIL APPLICATION No 11768 to 11803 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

A M PATELIYA

Versus

STATE OF GUJARAT

Appearance:

MR NILESH A PANDYA for Petitioners

MR MEHUL RATHOD for Respondents in all group matters

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 20/11/2000

COMMON ORAL JUDGEMENT

#. Heard Mr.Nilesh Pandya, learned advocate on

behalf of the petitioners and Mr.Mehul Rathod, learned advocate for the respondents so also Ms.Manisha Lavkumar and Mr.I.M.Pandya, learned AGP on behalf of the respondent No.1 in this group of petitions.

#. RULE. Mr.Mehul Rathod, learned advocate for the respondent Nos. 2 to 4 and learned AGP waive service of Rule on behalf of the respective respondents. At the request of the learned advocates for the parties, this group of matters are taken up for final hearing today.

#. The grievance of the petitioners is that though the sufficient work is available with the respondent authority, they are wrongly transferred to some other division by order dated 10th October, 2000. Mr. Nilesh Pandya, learned advocate for the petitioners has submitted that the respondent has invited tender for assigning the contract for the work being attended by the petitioners. However, Mr.Rathod, learned advocate for the respondents has disputed this fact. Considering the fact that the respondent authority has invited tender and further considering the submissions of the learned advocates for the parties, this Court is of the opinion that in such situation, it is considered appropriate that the petitioners should approach the respondent authorities in respect of their grievances pointed out in the present petition.

#. In above view of the matter, it is directed to the petitioners to send a copy of the present petition to the respondent No.2 within period of one week from today and the respondent No.2 shall treat the present petition as a detailed representation on behalf of the petitioners before this Court. As and such such representation is received by the respondent No.2, it is directed that the respondent No.2 shall consider the same in accordance with law within 15 days from receiving the such representation in the form of petition from the petitioners. However, it is open to the petitioners to challenge any adverse order, if passed by the respondent No.2 before the appropriate forum in accordance with law. In view of aforesaid observations and directions, this group of petitions stand disposed accordingly. Mean while, status quo granted by this Court on 6th November, 2000 shall remain continued till the decision of the respondent No.2. The group of petitions stand disposed of accordingly. Rule discharged accordingly.

Date : 20-11-2000 [H.K.Rathod, J.]

#kailash#